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HOUSE BILL NO. 5060

Offered August 18, 2020

Prefiled August 18, 2020

A *BILL to amend and reenact §§ 9.1-187 and 9.1-190 of the Code of Virginia, relating to crisis intervention team program; annual report.*

Patrons—Kory; Senator: Surovell

Referred to Committee on Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-187 and 9.1-190 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-187. Establishment of crisis intervention team programs.

A. By January 1, 2010, the Department of Criminal Justice Services and the Department of Behavioral Health and Developmental Services, utilizing such federal or state funding as may be available for this purpose, shall support the development and establishment of crisis intervention team programs in areas throughout the Commonwealth. Areas may be composed of any combination of one or more localities or institutions of higher education contained therein that may have law-enforcement officers as defined in § 9.1-101. The crisis intervention teams shall assist law-enforcement officers in responding to crisis situations involving persons with mental illness, substance abuse problems, or both. The goals of the crisis intervention team programs shall be:

1. Providing immediate response by specially trained law-enforcement officers;
2. Reducing the amount of time officers spend out of service awaiting assessment and disposition;
3. Affording persons with mental illness, substance abuse problems, or both, a sense of dignity in crisis situations;
4. Reducing the likelihood of physical confrontation;
5. Decreasing arrests and use of force;
6. Identifying underserved populations with mental illness, substance abuse problems, or both, and linking them to appropriate care;
7. Providing support and assistance for mental health treatment professionals;
8. Decreasing the use of arrest and detention of persons experiencing mental health and/or substance abuse crises by providing better access to timely treatment;
9. Providing a therapeutic location or protocol for officers to bring individuals in crisis for assessment that is not a law-enforcement or jail facility;
10. Increasing public recognition and appreciation for the mental health needs of a community;
11. Decreasing injuries to law-enforcement officers during crisis events;
12. Reducing inappropriate arrests of individuals with mental illness in crisis situations; and
13. Decreasing the need for mental health treatment in jail.

B. The Department, in collaboration with the Department of Behavioral Health and Developmental Services, shall establish criteria for the development of crisis intervention teams that shall include assessment of the effectiveness of the area's plan for community involvement, training, and therapeutic response alternatives and a determination of whether law-enforcement officers have effective agreements with mental health care providers and all other community stakeholders.

C. By November 1, 2009, the Department, and the Department of Behavioral Health and Developmental Services, shall submit to the Joint Commission on Health Care a report outlining the status of the crisis intervention team programs, including copies of any requests for proposals and the criteria developed for such areas.

§ 9.1-190. Crisis intervention team program assessment.

The Department, and the Department of Behavioral Health and Developmental Services, shall assess and report annually by November 1 to the Chairmen of the House Committee on Public Safety, the Senate Committee on the Judiciary, and the Joint Commission on Health Care on (i) the status of crisis intervention team programs in the Commonwealth, including the number of crisis intervention team programs in the Commonwealth and criteria developed for each area in which a crisis intervention team program has been established, and (ii) the impact and effectiveness of the crisis intervention team programs in meeting the program goals. The assessment shall include, but not be limited to, consideration of set forth in § 9.1-187, including information about the number of incidents, to which crisis intervention teams responded during the previous year and any injuries to the parties involved in such incidents, successes of and problems encountered by crisis intervention teams in the Commonwealth, the overall operation of the crisis intervention team programs, and recommendations for

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59 improvement of the *crisis intervention team* program. The Department, and the Department of
60 Behavioral Health and Developmental Services, shall submit a report to the Joint Commission on Health
61 Care by November 15, 2009, 2010, and 2011.